

REMARKS

In response to the Office Action mailed on November 25, 2008, Applicant(s) respectfully request(s) reconsideration. Claim(s) 1-16 and 18-31 are now pending in this Application. Claim(s) 1, 12, 14, 26, 27, 28 and 29 are independent claims and the remaining claims are dependent claims. In this Amendment, claim(s) 1, 12, 14, 26, 27, 28 and 29 have been amended. No new matter has been added. Support for the amendments to claims 1, 12, 14, 26, 27, 28 and 29 can be found throughout the text and figures of the specification as well as elsewhere throughout the specification.

Applicant(s) believe that the claim(s) as presented are in condition for allowance. A notice to this affect is respectfully requested.

Preliminary Matters

The Applicants thank the Examiner for the courtesy of a telephone interview on February 9, 2009. This enabled Applicant to better prepare a response in connection with the claims. During the telephone interview, it was agreed that the claims, as amended to clarify the distinction between the originating side and receiving side of the email process, are patentable over the cited art of record.

Claim Rejections - 35 USC § 103

Claims 1-16 and 18-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stark et al. (U.S. 2003/0233420) in view of Barchi (U.S. 6,507,866).

Applicants respectfully submit that neither Stark nor Barchi, alone or in combination, teach or suggest "detecting, on the sending side, an outbound message from the originator computer system;

verifying, on the sending side, an authenticity of an originator identity associated with the outbound message by comparing a mapping of network addresses with

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account names such that the originator identity associated with the outbound message is associated with the valid account name and network address pair;

performing a quota enforcement operation based on a message count and a message limit associated with the originator identity to produce a message transmission result; and

performing a selective transmit operation including at least one of:

i) transmitting the outbound message from the originating mail server to a receiving mail server on a computer network if the message transmission result contains a transmit value;” as recited in amended claim 1. (Emphasis added)

For at least this reason, claim 1 and the claims dependent therefrom are patentably distinguishable over Stark in view of Barchi. For analogous reasons, claims 12, 14, 26, 27 and 28-29 and the claims dependent therefrom are patentable over Stark in view of Barchi.

Applicant(s) hereby petition(s) for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3735.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned at (508) 616-9660, in Westborough, Massachusetts.

Respectfully submitted,

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